

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS**

LAREDO DIVISION

UNITED STATES OF AMERICA

V.

FIEL TORRES

§
§
§
§

CRIMINAL No. L-05-1659

**UNITED STATES' NOTICE
REGARDING EXPERT TESTIMONY**

The United States will call as a witness, in its case in chief, a Drug Enforcement Administration Special Agent who will be questioned about the value of marihuana.

The United States will also call as a witness, in its case-in-chief, a Forensic Chemist to testify as an expert regarding the analysis he performed on the substance submitted to the laboratory, which tested positive for marihuana. Copies of the laboratory report in question have been available to counsel for review during the discovery process.

It is well-settled that pursuant to Fed.R.Evid. 702, "an experienced narcotics agent may testify about the significance of certain conduct or methods of operation unique to the drug distribution business, as such testimony often is helpful in assisting the trier of fact understand the evidence." United States v. Washington, 44 F.3d 1271, 1283 (5th Cir. 1995)(collecting cases). Further, it is not necessary that the testifying expert agent be involved in the arrest or investigation of the defendant on trial. See, e.g., United States v. Speer, 30 F.3d 605, 609 (5th Cir. 1994).

DONALD J. DeGABRIELLE, JR.
United States Attorney

By: /s/
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CERTIFICATE OF SERVICE

A copy of the foregoing has been delivered via electronic filing to the Attorney for the Defendant, Jeffrey Czar on this the **21st** day of **April** 2006.

/s/
Marina Garcia Marmolejo
Assistant United States Attorney